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Name of Registered Representative:

John C. Freeman

John C. Freeman, Reg. No. 34,483

November 8, 2002

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PATENT  
CASE NO. 10711/4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
James Brunner )  
U.S. Patent Application ) Group Art Unit: 2876  
Serial No.: 09/779,903 )  
Filing Date: February 8, 2001 ) Examiner: Labaze, Edwyn  
For: MACHINE AND PROCESS FOR )  
MANUFACTURING A LABEL )  
WITH A SECURITY ELEMENT )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with Applicant's duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicant hereby submits the following references for consideration by the Examiner. In particular the requirements of 37 C.F.R. § 1.97(c) have been satisfied as shown by the enclosed payment of \$ 180 fee as set forth in 37 C.F.R. § 1.17(p).

Copies of the references are enclosed along with a completed copy of Form PTO-1449.

## I. DISCLOSURE

### A. U.S. Patents

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
2,449,972	Beach	09/28/48
3,097,983	Caulford et al.	07/16/63
3,415,705	Ettre	12/10/68
3,542,578	Lang	11/24/70
3,636,408	Shuman	01/18/72
3,757,164	Binkowski	09/04/73
3,913,219	Lichtblau	10/21/75
4,075,618	Montean	02/21/78
4,363,070	Kisler	12/07/82
4,369,557	Vandebult	01/25/83
4,475,969	Reed	10/09/84
4,660,025	Humphrey	04/21/87
4,694,283	Reeb	09/15/87
4,717,438	Benge et al.	01/05/88
4,785,735	Hamisch, Jr.	11/22/88
4,802,944	Benge	02/07/89
4,846,922	Benge et al.	07/11/89
D 306,043	Hickmott	02/13/90
4,900,386	Richter-Jörgensen	02/13/90

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
4,910,499	Benge et al.	03/20/90
4,932,684	Vermeulen	06/12/90
D 309,159	Hickmott	07/10/90
4,949,608	Ward et al.	08/21/90
4,954,814	Benge	09/04/90
D 311,215	Hickmott	10/09/90
4,967,185	Montean	10/30/90
4,972,616	Doll	11/27/90
4,987,723	Diemer	01/29/91
5,006,856	Benge et al.	04/09/91
5,076,011	Stehouwer	12/31/91
5,081,445	Gill et al.	01/14/92
5,083,112	Piotrowski et al.	01/21/92
5,091,052	Nowak et al.	02/25/92
D 324,659	Stehouwer	03/17/92
5,146,204	Zhou et al.	09/08/92
5,151,684	Johnson	09/29/92
5,167,752	Dowling	12/01/92
5,170,712	Stehouwer	12/15/92
5,172,461	Pichl	12/22/92
5,182,544	Aquilera et al.	01/26/93

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,184,111	Pichl	02/02/93
5,200,243	Van Veen	04/06/93
5,284,689	Laurash et al.	02/08/94
5,294,068	Baro et al.	03/15/94
5,339,517	Diemer	08/23/94
5,350,483	Yager et al.	09/27/94
5,388,748	Davignon et al.	02/14/95
5,388,749	Davignon et al.	02/14/95
5,394,293	Grarovský	02/28/95
5,400,208	Pazda et al.	03/21/95
5,432,499	Montean	07/11/95
5,467,524	Diemer	11/21/95
5,477,219	Zarembó et al.	12/19/95
5,494,550	Benge	02/27/96
5,496,611	Ikeda et al.	03/05/96
5,512,125	Momot et al.	04/30/96
5,560,970	Ludebuhl	10/01/96
5,583,489	Loemker et al.	12/10/96
5,597,653	Ikeda et al.	01/28/97
5,614,278	Chamberlain et al.	03/25/97
5,645,932	Uchibori	07/08/97

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,660,663	Chamberlain et al.	08/26/97
5,736,967	Kayser et al.	04/07/98
5,747,192	Hughen et al.	05/05/98
5,751,256	McDonough et al.	05/12/98
5,830,571	Mann et al.	11/03/98
5,844,485	Ryan, Jr.	12/01/98
D 402,863	Hickmott	12/22/98
5,858,143	Bright et al.	01/12/99
5,867,102	Souder et al.	02/02/99
5,954,907	LaRose et al.	09/21/99
5,961,228	Ward et al.	10/05/99
D 427,639	Hickmott	07/04/00
6,092,449	Ward et al.	07/25/00
D 428,445	Hickmott	07/18/00
6,123,796	Kathmann et al.	09/26/00

**B. Foreign Patents**

<u>Reference No.</u>	<u>Country</u>	<u>Pub. Date</u>
WO 85/02285	WIPO	05/23/85
2 164 915	U.K.	04/03/86
2 211 702	U.K.	07/05/89
0 597 609	EP	05/18/94

<u>Reference No.</u>	<u>Country</u>	<u>Pub. Date</u>
42 38 145	Germany	05/19/94
WO 95/04853	WIPO	02/16/95
0 680 011	EP	11/02/95

**C. Literature**

1. "Various Advertisements and Articles," Nutritional Outlook, March 2000, six pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.
2. "Impulse Source Tagging Program Implementation Guide," published by Checkpoint Meto, forty seven pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.
3. "Universal Labeling Systems SL 2000 – Automatic High Speed Label Applicator," published by Universal Labeling Systems, two pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.
4. "Staticide Flyer," published by ACL Staticide, two pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.
5. "DC Series DC-duo Flyer," published by Tantec, Inc., two pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.
6. "Material Data Sheet for: SBL 2.5 pt.SC(42#) Tight Release Silicone Coated Liner," published by Dunsirn Industrial, one page, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

## **II. DISCUSSION**

### **A. WIPO Patent Reference No. WO 95/04853**

Based solely on the drawings and the English language Abstract, the '853 patent reference is pertinent because it appears to disclose an identification label used to prevent garments from being shoplifted.

### **B. German Patent Reference No. 42 38 145**

Based solely on the drawings and the English language Abstract, the '145 patent reference is pertinent because it appears to disclose a method of producing a safety label by sticking a hard magnetic material and silicon paper onto a support film.

### **C. European Patent Reference No. 0 680 011**

Based solely on the drawings and the English language Abstract, the '011 patent reference is pertinent because it appears to disclose a method of producing a safety label by sticking a hard magnetic material and silicon paper onto a support film.

## **III. CONCLUSION**

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicant wishes to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicant's desire, however, to have these references available in the record for both the Examiner and the public to

see. Applicant therefore requests that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

Respectfully submitted,



John C. Freeman  
Registration No. 34,483  
Attorney for Applicant

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

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